



LEGISLATURE OF THE STATE OF IDAHO
Sixty-second Legislature



First Regular Session - 2013

IN THE SENATE

SENATE BILL NO. 1189

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO STATUTORY INTERPRETATION; AMENDING SECTION 73-113, IDAHO CODE,
TO PROVIDE FOR PRINCIPLES OF STATUTORY CONSTRUCTION OF THE IDAHO CODE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 73-113, Idaho Code, be, and the same is hereby
amended to read as follows:

73-113. CONSTRUCTION OF WORDS AND PHRASES. (1) The language of a statute should be given its plain, usual and ordinary meaning. Where a statute is clear and unambiguous, the expressed intent of the legislature shall be given effect without engaging in statutory construction. The literal words of a statute are the best guide to determining legislative intent.

(2) If a statute is capable of more than one (1) conflicting construction, the reasonableness of the proposed interpretations shall be considered, and the statute must be construed as a whole. Interpretations which would render the statute a nullity, or which would lead to absurd results, are disfavored.

(3) Words and phrases are construed according to the context and the approved usage of the language, but technical words and phrases, and such others as have acquired a peculiar and appropriate meaning in law, or are defined in the succeeding section, are to be construed according to such peculiar and appropriate meaning or definition.

STATEMENT OF PURPOSE

RS22310

This legislation would strengthen the current statutory language regarding interpretation of legislative intent. As the legislature moves toward live recording of legislative proceedings on the floor and in committees, it is important to underscore the importance of the literal words in a statute as being the best guide in determining legislative intent.

FISCAL NOTE

There is no fiscal impact associated with this legislation.

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